

Revised 7/04

Office Use Only

Ordinance #: _____
Date Received _____

REQUEST FOR VACATION OF AN ALLEY OR UN-BUILT RIGHT OF WAY
TOWN OF BLACKSBURG, VIRGINIA

This application and accompanying information must be submitted in full before the vacation request can be referred to the Planning Commission and Town Council for consideration. Please contact the Planning and Engineering Department at 540-961-1126 for application deadline.

ACC OP (Warren Street) LLC

Name of Applicant(s)

12700 Hill Country Boulevard, Suite T-200
Austin, TX 78738

Address

512-732-1000

Phone

Fax

Please list any additional parties included in this application:

None

Location of right of way to be vacated: (survey of property or legal description of boundary)

End of Warren Street SW (see attached exhibit)

Tax Parcel Number(s) of Property:

256-7BK E 12A

Square Footage of area to be vacated: 18,301 sf

If there is more than one applicant, how is property to be divided?

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What is the intended use of the vacated property?

The vacated property will be included in the overall property boundary for the proposed Stadium View PRD.

I, We, the owner(s), agent, or contract purchaser(s) described on this application do hereby apply for the vacation of the above described alley or un-built right of way and certify the following:

1. I, We, own property abutting the above described alley or un-built right of way.
2. I, We, will provide proof of notification of all property owners abutting the alley or un-built right of way in order to give them the opportunity to join in or file separate applications for the vacation.
3. I, We, agree that the value of the alley or un-built right of way is TBD
4. I, We, agree that if a formal appraisal is required, as established by the Comprehensive Plan vacation process, the cost of the appraisal will be paid to the Town of Blacksburg before acceptance of the application.
5. I, We, agree to pay to the Town of Blacksburg the above stated price if the alley or un-built right of way is vacated.
6. I, We, agree to accept a quit-claim deed to the property and accept responsibility for ascertaining what interest the Town of Blacksburg may have in the area if vacated.
7. I, We, understand that the Town of Blacksburg makes no warranties of title of property.

Please include an application fee of \$500.00 to be applied to the cost of advertising, the cost of first class and certified mail postage to all adjacent properties and expense incidental to reviewing, publishing, and processing this application. Please make your check or money order payable to the Town of Blacksburg.


Signature of Applicant(s)

04/27/17
Date

OFFICE USE ONLY

Comprehensive Plan Review

Transit Review

Utility Review

Rear Property Access

Recreation Review

Appraisal

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WITH McMAHAN'S LINE IN A NORTHERLY DIRECTION 150' TO A STAKE STANDING IN THE LINE OF (NOW OR FORMERLY) LEROY LUCAS; THENCE WITH THIS LINE IN A EASTERLY DIRECTION 100' TO A STAKE STANDING IN THE LINE FORMERLY OF A.W. MILLER; THENCE WITH FORMERLY MILLER'S LINE IN A SOUTHERLY DIRECTION 150' TO THE POINT OF BEGINNING.

TRACT 4 (TAX PARCEL 004756):

BEING ALL OF LOT 11 OF BLOCK E AS SHOWN ON SUBDIVISION PLAT ENTITLED, "SOUTHERN ADDITION TO THE TOWN OF BLACKSBURG, VA NEW RIVER LAND COMPANY INC., LOTS", A MAP OF WHICH IS OF RECORD IN THE CLERK'S OFFICE, CIRCUIT COURT MONTGOMERY COUNTY, VIRGINIA, IN DEED BOOK 62, PAGE 314-315.

TRACT 5 (TAX PARCEL 012397)

BEGINNING AT A POINT ON GREEN STREET, CORNER TO LAND OWNED NOW OR FORMERLY BY GREEN STREET TOWNHOMES, LLC; THENCE N15°13'08"W A DISTANCE OF 150'; THENCE N69°47'44"E A DISTANCE OF 100'; THENCE S15°14'46"E A DISTANCE OF 150'; THENCE ALONG GREEN STREET RIGHT OF WAY S69°47'48"W A DISTANCE OF 200.07' TO THE POINT OF BEGINNING.

LOT 12A - 0.343 ACRE (ACC OP DEVELOPMENT LLC) - TAX MAP #256-7BK E 12A

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN MONTGOMERY COUNTY, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, WITH ALL IMPROVEMENTS THEREON AND APPURTENANCES THERETO BELONGING, LYING AND BEING IN THE COUNTY OF MONTGOMERY, VIRGINIA SHOWN AND DESIGNATED AS "NEW LOT 12A" ON PLAT ENTITLED, "LOT LINE VACATION PLAT FOR SAIF MOSTAGHIM AND SHIOW-JY FAN HEREBY CREATING NEW LOT 12A BY HEREBY VACATING THE DIVIDING LINE BETWEEN LOTS 12 AND 13 BLOCK 3 SOUTHERN ADDITION OF THE TOWN OF BLACKSBURG, TOWN OF BLACKSBURG, PRICES FORK MAGISTERIAL DISTRICT, MONTGOMERY COUNTY, VIRGINIA", RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, MONTGOMERY COUNTY, VIRGINIA, AS INSTRUMENT No. 2006005102, WITH PLAT RECORDED IN PLAT BOOK 26, PAGE 103, TO WHICH PLAT REFERENCE IS HEREBY MADE FOR A MORE PARTICULAR DESCRIPTION OF THE PROPERTY CONVEYED.

THE TOTAL AREA OF ALL THE ABOVE DESCRIBED TRACTS IS 3.818 ACRES MORE OR LESS. THE DEVELOPMENT WILL ALSO INCLUDE 0.420 ACRES OF RIGHT OF WAY TO BE VACATED AND 0.145 ACRES OF RIGHT OF WAY TO BE DEDICATED. THESE AREAS ARE DESCRIBED BELOW.

Legal Description of Right of Way Vacation

0.420 ACRE PARCEL OF PUBLIC RIGHT OF WAY TO BE VACATED

BEGINNING AT AN IRON PIN IN THE NORTHWESTERN CORNER OF TAX PARCEL 006639, SAID PARCEL DEEDED NOW OR FORMERLY TO WARREN STREET PARTNERS, LLC; THENCE ALONG PROPERTY LINE N70°34'35"E A DISTANCE OF 287.78'; THENCE S14°33'25"E A DISTANCE OF 14.05'; THENCE N70°34'35"E A DISTANCE OF 275.82' TO AN IRON PIN; THENCE N04°34'09"W A DISTANCE OF 154.63' TO AN IRON PIN IN THE RIGHT OF WAY OF WARREN STREET SW; THENCE

ALONG SAID RIGHT OF WAY S70°34'35"W A DISTANCE OF 224.48'; THENCE ACROSS RIGHT OF WAY S20°15'03"E A DISTANCE OF 45.01'; THENCE ALONG RIGHT OF WAY S70°34'35"W A DISTANCE OF 160.95' THENCE AROUND A CURVE TO THE LEFT HAVE A RADIUS OF 45.00', AN ARC LENGTH OF 88.36', A CHORD BEARING OF S70°34'35"W, A CHORD DISTANCE OF 74.83', AND A DELTA OF 112°30'12" TO AN IRON PIN; THENCE ACROSS AN ALLEY N70°34'35"E A DISTANCE OF 15.77', THENCE N04°34'09"W A DISTANCE OF 215.67' TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY HAS AN AREA OF 0.420 ACRES MORE OR LESS.

Legal Description of Right of Way Dedication

0.030 ACRE PARCEL OF PUBLIC RIGHT OF WAY TO BE DEDICATED

BEGINNING AT AN IRON PIN IN THE SOUTHEASTERN CORNER OF TAX PARCEL 006682, SAID PARCEL DEEDED NOW OR FORMERLY TO ACC DEVELOPMENT LLC; THENCE ALONG CURRENT RIGHT OF WAY LINE S70°34'35"W A DISTANCE OF 38.25'; THENCE S20°12'07"E A DISTANCE OF 32.43'; THENCE S69°47'53"W A DISTANCE OF 41.50'; THENCE S14°33'25"E A DISTANCE OF 33.11' TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY HAS AN AREA OF 0.030 ACRES MORE OR LESS.

Legal Description of Right of Way Dedication

0.115 ACRE PARCEL OF PUBLIC RIGHT OF WAY TO BE DEDICATED

BEGINNING AT AN IRON PIN IN THE RIGHT OF WAY OF GREEN STREET SW, SAID CORNER BEING THE SOUTHEASTERN CORNER OF TAX PARCEL 020185; THENCE S69°47'43"W A DISTANCE OF 100.07'; THENCE N15°13'40"W A DISTANCE OF 25.10'; THENCE N69°47'53"E A DISTANCE OF 200.04'; THENCE S15°14'46"E A DISTANCE OF 25.09' TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PROPERTY HAS AN AREA OF 0.115 ACRES MORE OR LESS.

II. Preliminary Layout

Zoning

The proposed rezoning request is for seven (7) parcels totaling approximately 3.818 acres along Warren Street and Green Street. There are two current zoning designations on the various properties included with this application. One parcel with an acreage of 0.343 acres is currently zoned RM-27 (low density multi-unit residential) and the remaining six parcels with a total of 3.475 acres are currently zoned PRD with Conditions. The final development will encompass a total of 4.093 acres. The difference in area will come from 0.420 acres of public right of way that is proposed to be vacated and 0.145 acres of right of way that is proposed to be dedicated. All acreage included in the development is proposed to be zoned PRD (Planned Residential District) with Conditions.

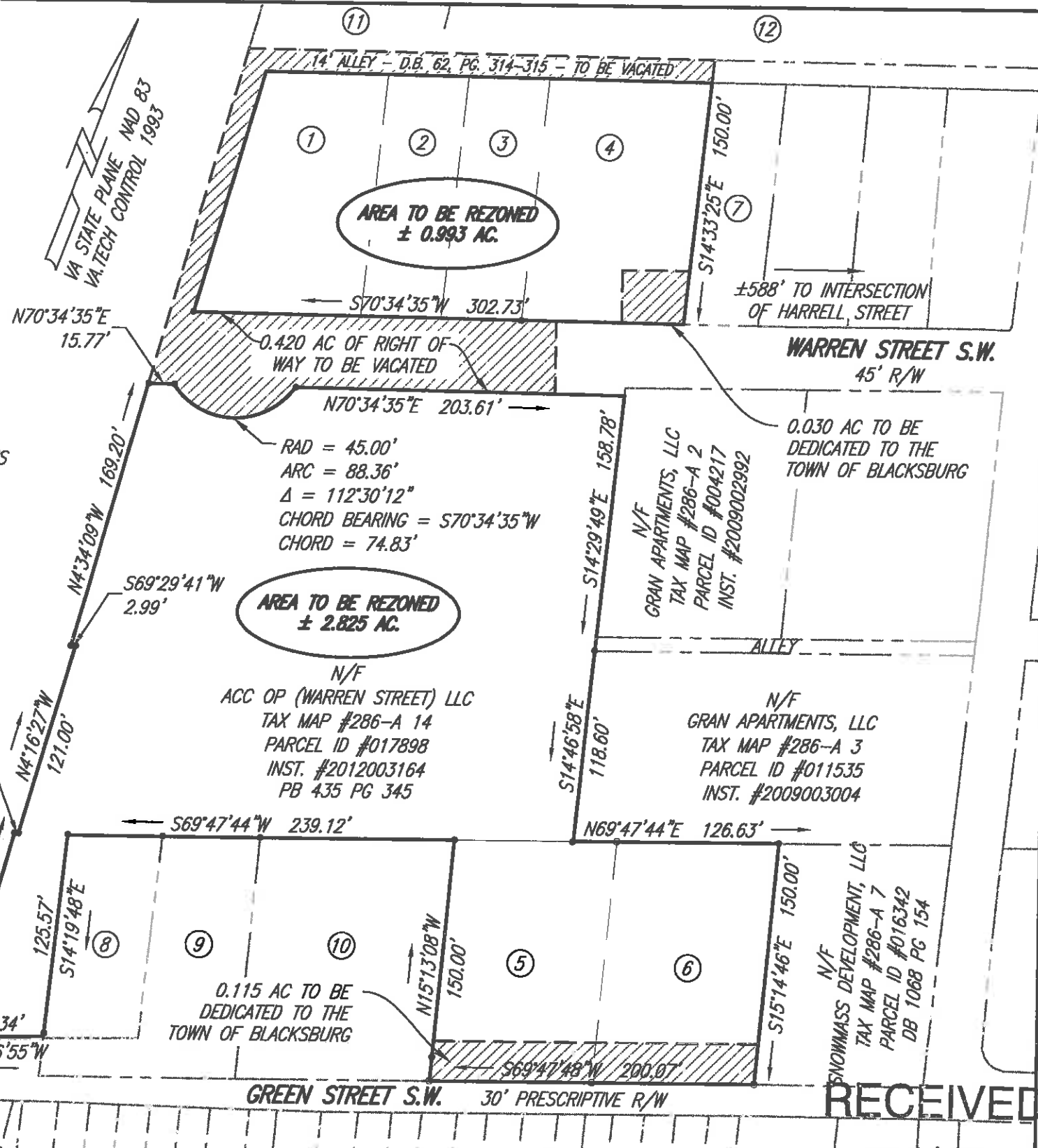
OWNER INFORMATION

1. N/F
ACC OP (WARREN STREET) LLC
TAX MAP #256-7BK E 9
PARCEL ID #006639
INST. #2012003164
PB 62 PG 314
2. N/F
ACC OP (WARREN STREET) LLC
TAX MAP #256-7BK E 10
PARCEL ID #006638
INST. #2012003164
PB 62 PG 314
3. N/F
ACC OP (WARREN STREET) LLC
TAX MAP #256-7BK E 11
PARCEL ID #004756
INST. #2012003164
PB 62 PG 314
4. N/F
ACC OP (WARREN STREET) LLC
TAX MAP #256-7BK E 12A
PARCEL ID #006682
INST. #2015004484
PB 26 PG 103
5. N/F
ACC OP (WARREN STREET) LLC
TAX MAP #286-A 9
PARCEL ID #012397
INST. #2012003164
PB 929 PG 3
6. N/F
ACC OP (WARREN STREET) LLC
TAX MAP #256-A 8
PARCEL ID #020185
INST. #2012003164
7. N/F
THOMAS D. FRITH JR REV TRUST
C/O BERNICE M. FRITH TRUSTEE
TAX MAP #256-7BK 3 14-16
PARCEL ID #006727
INST. #2016004761
PB 62 PG 314
8. N/F
SAS, LLC
TAX MAP #286-A 13
PARCEL ID #017855
DB 963 PG 274
9. N/F
513 GREEN STREET, LLC
TAX MAP #286-A 12
PARCEL ID #020939
INST. #2007000345
10. N/F
GREEN STREET TOWNHOMES, LLC
TAX MAP #286-A 10
PARCEL ID #009366
INST. #2015002424 (DEED)
INST. #2003002843 (PLAT)

11. N/F
LITTLE E, LLC
TAX MAP #256-8 1
PARCEL ID #011407
INST. #2005001858
PB 9 PG 91
12. N/F
UNIVERSAL PROPERTIES
TAX MAP #256-8 2
PARCEL ID #002464
DB 939 PB 836
PB 16 PG 685

VIRGINIA TECH CAMPUS

N/F
VPI BLDGS & LAND
TAX MAP #255-A 1
PARCEL ID #070905
INST. #2010003159



MAP FROM RECORDS FOR ACC OP (WARREN STREET) LLC

SHOWING AREA PROPOSED FOR REZONING
SITUATED ON WARREN & GREEN STREETS

INSTRUMENT #2012003164
INSTRUMENT #2015004484

PRICES FORK MAGISTERIAL DISTRICT
TOWN OF BLACKSBURG
MONTGOMERY COUNTY, VIRGINIA

DATE: MAY 1, 2017

JOB #1400005.00

SCALE: 1" = 80'

SHEET Z1.0

TEL: 540-381-4290 FAX: 540-381-4291

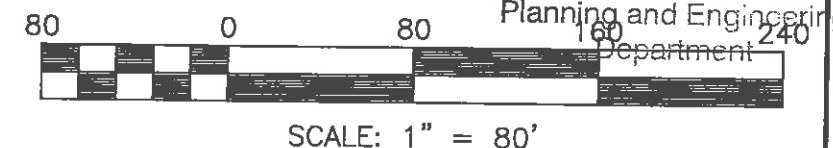
PLANNERS ARCHITECTS ENGINEERS SURVEYORS

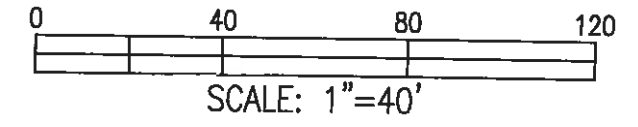
Balzer & Associates, Inc. 448 Peppers Ferry Road, NW Christiansburg Va. 24073



• PLANNERS • ARCHITECTS
• ENGINEERS • SURVEYORS

THIS MAP IS BASED PARTIALLY FROM RECORDS AND PARTIALLY FROM A FIELD SURVEY. THE BOUNDARIES SHOWN HEREON ARE NOT FROM A CURRENT BOUNDARY SURVEY OR SUBDIVISION PLAT AND ARE ONLY USED FOR REZONING PURPOSES AND PUBLIC INFORMATION.





**PRELIMINARY
FOR REVIEW ONLY
DO NOT RECORD**

NOTES:

1. PROPERTY OWNERS OF RECORD: ACC OP (WARREN STREET) LLC
2. LEGAL REFERENCES: INST. #2015004484; P.B. 26 PG. 103
3. TOTAL AREA TO BE DEDICATED TO THE TOWN OF BLACKSBURG AS SHOWN = 0.145 AC
4. TOTAL AREA WITHIN PUBLIC RIGHT OF WAY TO BE VACATED AS SHOWN = 0.420 AC

**RIGHT OF WAY EXHIBIT
FROM RECORDS SHOWING
AREA TO BE DEDICATED TO
THE TOWN OF BLACKSBURG
AND
AREA WITHIN PUBLIC RIGHT OF WAY
TO BE VACATED**

PORTIONS OF WARREN STREET, GREEN STREET AND A PUBLIC ALLEY
TOWN OF BLACKSBURG

PRICES FORK MAGISTERIAL DISTRICT
MONTGOMERY COUNTY, VIRGINIA

DATE: MAY 1, 2017
JOB #24170044.00

SCALE: 1" = 40'
SHEET 1 OF 2

TEL: 540-381-4290 FAX: 540-381-4291

PLANNERS ARCHITECTS ENGINEERS SURVEYORS

Balzer & Associates, Inc. 448 Peppers Ferry Road, NW Christiansburg Va. 24073

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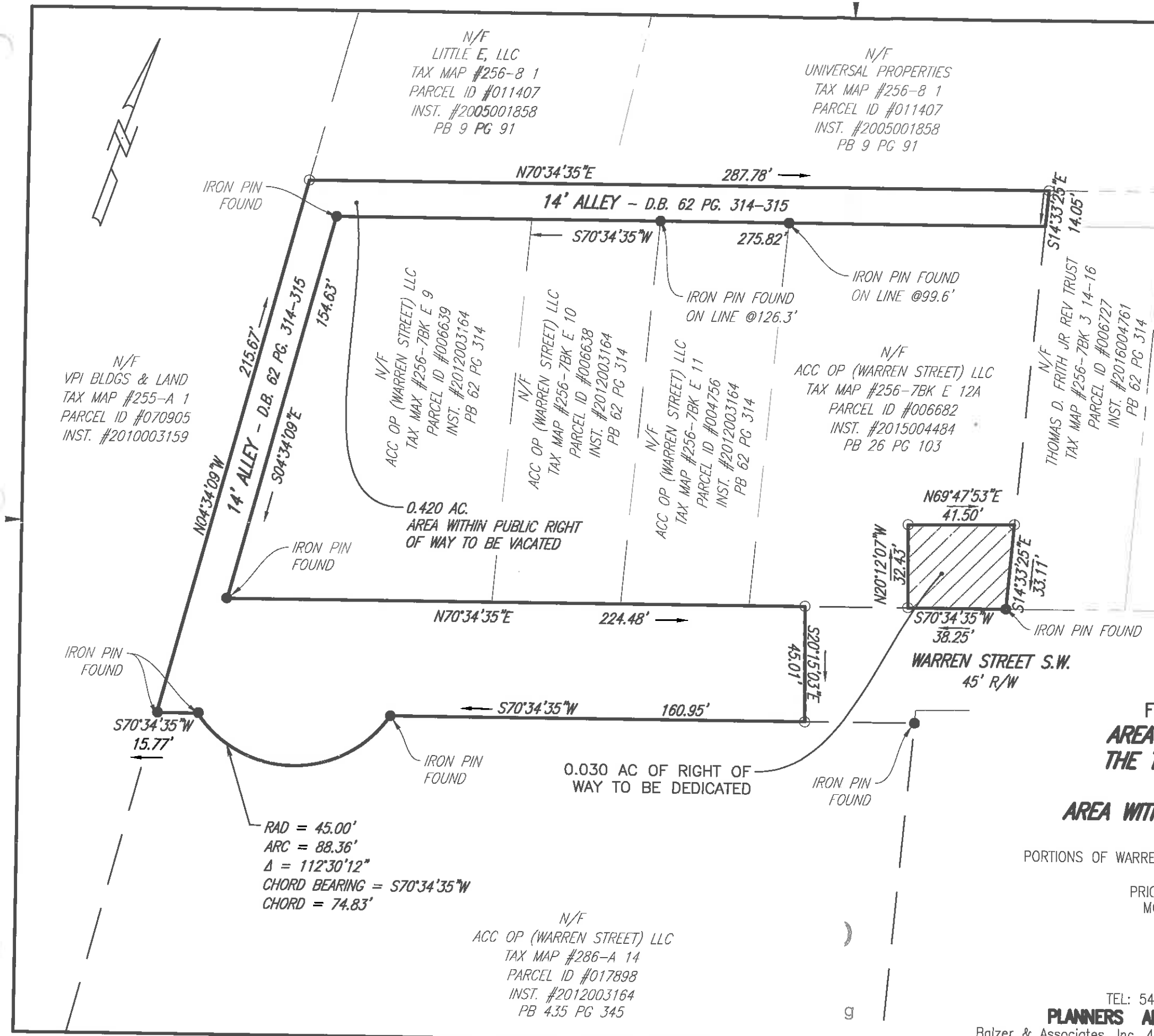
MAY 01 2017

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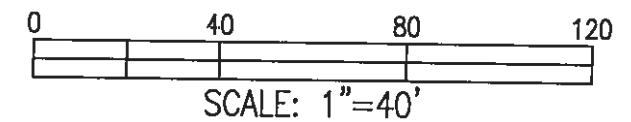
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AND ASSOCIATES, INC.



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N/F
GRAN APARTMENTS, LLC
TAX MAP #286-A 3
PARCEL ID #011535
INST. #2009003004



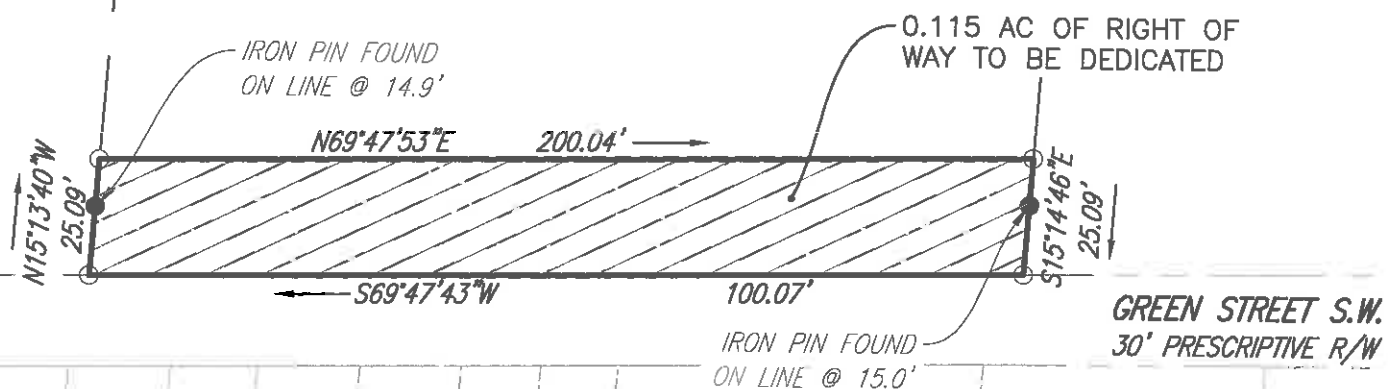
N/F
GREEN STREET TOWNHOMES, LLC
TAX MAP #286-A 10
PARCEL ID #009366
INST. #2015002424
INST. #2003002843

N/F
ACC OP (WARREN STREET) LLC
TAX MAP #286-A 14
PARCEL ID #017898
INST. #2012003164
PB 435 PG 345

N/F
SNOWMASS DEVELOPMENT, LLC
TAX MAP #286-A 7
PARCEL ID #016342
DB 1068 PG154

CENTER STREET
30' R/W

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RIGHT OF WAY EXHIBIT
FROM RECORDS SHOWING
**AREA TO BE DEDICATED TO
THE TOWN OF BLACKSBURG
AND
AREA WITHIN PUBLIC RIGHT OF WAY
TO BE VACATED**

PORTIONS OF WARREN STREET, GREEN STREET AND A PUBLIC ALLEY
TOWN OF BLACKSBURG
PRICES FORK MAGISTERIAL DISTRICT
MONTGOMERY COUNTY, VIRGINIA

DATE: MAY 1, 2017
JOB #24170044.00

SCALE: 1" = 40'
SHEET 2 OF 2

TEL: 540-381-4290 FAX: 540-381-4291

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